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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,686	10/27/2003	Yoshiaki Kato	2611-0198P	2067
2292 7590 06/01/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER NGUYEN, LONG P	
			ART UNIT 2616	PAPER NUMBER
			NOTIFICATION DATE 06/01/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	Application No. 10/692,686	Applicant(s) KATO ET AL.	
	Examiner Long P. Nguyen	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 17-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____                                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/27/2003</u> .  | 6) <input type="checkbox"/> Other: ____                           |

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuri (5,960,006).

As for claim 17, Matsuri shows multiplexing apparatus in which media stream is generated by appending a media time base that indicates a time at which encoding of the media information is to be started (**Col. 2 line 20-23**), and a decoding time that indicates a time at which decoding of the media information is to be started based on the media time base (**abstract**), and a number of media streams of different types are multiplexed to obtain one program (**Col. 5 line 9-13**), wherein, when multiplexing a number of media streams of different types to obtain one program (**Abstract, e.g. video and audio bit-streams**), the media time bases of all the media information are set

Art Unit: 2616

equal to a media time base of a desired media information (**Col. 5 line 9-13**), the time difference between media time bases before and after this setting is added to the decoding time (**Col. 8 line 20 and Col. 8 line 27-31**), and the decoding time is reallocated (**Col. 8 line 36-54**).

As for claim 18, Matsuri shows wherein media time bases of a number of media information are set to the same value (**Col. 5 line 9-13**), and the decoding time is reallocated (**Col. 8 line 36-54**).

As for claim 19, Matsuri shows remultiplexing apparatus in which media stream is generated by appending a media time base that indicates a time at which encoding of the media information is to be started (**Col. 2 line 20-23**), and a decoding time that indicates a time at which decoding of the media information is to be started based on the media time base (**abstract**), and a number of media streams of different types are multiplexed to obtain one program (**Col. 5 line 9-13**), wherein, when multiplexing a number of media streams of different types to obtain one program (**Abstract, e.g. video and audio bit-streams**), the media time bases of all the media information are set equal to a media time base of a desired media information (**Col. 5 line 9-13**), the time difference between media time bases before and after this setting is added to the decoding time (**Col. 8 line 20 and Col. 8 line 27-31**), and the decoding time is reallocated (**Col. 8 line 36-54**).

As for claim 20, Matsuri shows wherein a program is restructured with media streams of a number of desired programs (**Col. 5 line 24-25**), and when restructuring

the program, media time bases of a number of media information are set to the same value (**Col. 5 line 9-13**), and the decoding time is reallocated (**Col. 8 line 36-54**).


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Long P. Nguyen whose telephone number is (571)-272-9740. The examiner can normally be reached on Monday - Thursday 7:30 - 5:00 EST Alternate Friday 7:30-4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Long Nguyen



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